CITY of ELGIN
COUNCIL MINUTES FOR MAY 12, 1998

COUNCILORS PRESENT- Kevin Cooper
Pat McMullen
John Stover
Berta Churchill
Leroy Short
vacant (John McElravy appointed to position)
Rick Smith - Mayor

Call to Order
The meeting was called to order at 7 pm by Mayor Rick Smith.

Approval of Minutes
The Mayor called for approval of the minutes of the meeting of April 14, 1998. Councilor Stover moved approve the minutes of April 14, 1998, with Councilor Cooper as second. The vote was unanimous for approval, motion carried.

Supervisors Reports
The Mayor called for the supervisors reports.

Police- Chief Sibley reported that he had contacted the School District regarding a request to ODOT to establish "double fines" in the school zone on Highway 204. They have not yet signed the request form. He also reported that he had been demonstrating a radar speed sign around town. It is quite effective in slowing traffic.

Public works- Kyle Boylen; absent, no report.

Library- Sandra Good reported that the Community Center roof was leaking again, and threatening to do some damage to the library collection. The Community Center Board is looking at possible resources to replace or repair the roof. Mrs. Good asked if the Council had reviewed the library policies. Councilor Stover stated that he had reviewed them and recommended adoption. Councilor Churchill moved to adopt the Library Policies and Procedures as presented, with Councilor Stover as second. The vote was unanimous for approval, motion carried.

Fire- Chief McDonald stated that the Fire Department had been practicing with the new fire truck. He also noted that the truck had been out on two calls, but has not been used.

Ambulance- Merle Laci; absent, no report.

Municipal Court- Ralph Howell reported that the April docket was quite full as evidenced by the court report submitted. He also reported that he and Chief Sibley had met with the Ministerial Association to discuss possibilities for settling some juvenile cases here in Elgin, instead of in La Grande. This would establish more authority in the community to prevent juvenile infractions and other incidents.

Recorder/Administrator- Joe Garlitz, no report.

Citizens to Speak
Ted Thamert read a two page statement to the Council, on behalf of the Stampeders. They are making a request for $20,000 to rebuild the Stampede grandstands.

Committee Reports
The Mayor then called for the committee reports.

Administration: Councilors Cooper and Stover reported that the bills had been reviewed.
Public Works: Councilors McMullen and Churchill, no report.
Public Safety: Councilor Short, absent.

Hearings
7:15 McMurdo partition;
Mayor Smith opened the partition hearing. The hearing is to consider the application of Doug and Susan McMurdo for a minor partition. The lot to be partitioned is zoned residential, allowing a single family residence on a lot of at least 5,000 square feet and a duplex on at least 6,000 sq.ft. The property is located north of Hartford St, at the far north end of N. 13th Ave and extends east to the extension of N. 11th Ave; tax lot 1N 39 10DC #2300. The lot is approximately 600'x 130'. The proposed partition will create two lots. The lot adjacent to N. 13th Ave is proposed to be 127'x 137'm/l, the remaining lot adjacent to N. 11th will be 470'x 130'm/l. A single family dwelling is being constructed on the portion of the lot adjacent to N. 13th Ave. The remaining portion of the lot is undeveloped.
Susan McMurdo was present to explain her request for the partition. She is, at present, constructing a home on the lot. In getting financing for the construction, she would like to divide off a residence size lot, so she would not have to encumber the entire property.
Jim and Sherry Schoenwald sent a letter objecting to the partition. Mrs. Schoenwald was present at the hearing. She stated that she felt there were

adequate lots available for development already, and that the development that would occur as a result of this partition would have a major negative impact on the water supply along Palmer Junction Road. No one else provided testimony.

It was noted that the construction of the house was already underway and that the partition approval or denial would have no effect on that construction. It was further noted that the water line supplying the McMurdo construction was in place and was supplied by a line that does not feed off the line supplying the Schoenwald home. It was also noted that the problem with water in that portion of the system was due to head loss from elevation, not from lack of line capacity. The City Public Works is attempting to get financing to do a water system study that would address the pressure problem. However, there is adequate line capacity to supply all the development proposed in this area.

After due consideration, Councilor Churchill moved to approve the partition per the application, with Councilor Cooper as second. The vote was unanimous for approval, motion carried. The lots created by this partition are subject to the provisions of the Residential-I zone, and other applicable conditions of the City of Elgin ordinances.

7:30 Reynolds Variance. Dan Reynolds was not present at this time. Mayor Smith delayed the hearing until later in the meeting.

Citizens to speak (continued),

Peggy Delaney and Melinda Wittemore from Grande Ronde Hospital, and Jeanne Bowden and Ginny Elder from the OHSU School of Nursing were present to discuss the future operation or the Elgin Clinic.

Jim Mattes, President of the Grande Ronde Hospital, has submitted a proposal to the City of Elgin and the OHSU School of Nursing, regarding the Elgin Clinic. The Hospital is proposing to donate the clinic building, land, improvements and equipment to the City of Elgin, and to donate the clinic supplies to the School on Nursing, further more they are offering a grant of $25,000 to the School of Nursing for operation of the clinic during the first year and $10,000 for the second year of operation. In response to questions from the Council, Ms. Delaney and Ms. Wittemore explained that there were no "strings attached" to the offer by the Hospital.

Ms. Bowden and Ms. Elder explained what they have proposed for the operation of the clinic. Ms. Elder, a nurse practitioner for OHSU, and Julie Eytchison, a nurse practitioner at the clinic, explained the range of proficiencies of a nurse practitioner. Basically, a nurse practitioner can do everything a doctor would do in a clinic situation; they prescribe antibiotics, suture wounds, set broken bones, etc. In addition, they are trained to provide preventative medical advise to their patients.

A lengthy discussion followed with a standing-room-only crowd. Several concerns were voiced about insuring that we do nothing that would preclude getting a doctor back into the clinic, if that possibility materialized.

After discussion, it was evident that the consensus of the council and the citizens present, was to accept the offer of the Hospital and the School of Nursing. Following discussion, Councilor Stover moved to accept the offer of the property from Grande Ronde Hospital and to offer the property to the OHSU School of Nursing to operate, with Councilor McMullen as second. The vote was unanimous for approval, motion carried. The details of the contract with the School of Nursing will be worked out as soon as possible. The primary concern is to re-open the clinic immediately.

Terry Tollefson of the Elgin Ministerial Association reported that the ministers had met with Chief Sibley and Judge Howell to find local means of dealing with community youth participating in high risk behaviors and getting into trouble with the law. Pastor Tollefson has contacted Judge Valentine, who has expressed interest in facilitating a local program in Elgin. Pastor Laeger presented a youth program along these lines that is being done in Wallowa County. The Councilors expressed their interest in supporting these efforts and encouraged the pastors to proceed.

8:30 With Dan Reynolds now present, Mayor Smith reopened the Reynolds variance hearing. The hearing is to consider the application of Daniel Reynolds for a variance to the manufactured home standards. The property in question is zoned residential-1 allowing a single family residence on a lot of at least 5,000 sq. ft. The property is located at 170 (102) N. 13th; tax lot 1N 39 15BD #8200. The lot is approximately 200'x 100'.

Mr. Reynolds is requesting to remove a pre-existing substandard mobile home currently installed at this location, and to replace it with another, superior, pre-existing substandard mobile home that he owns, currently located on a lot at 1545 Beverly Terrace. The net result is that the pre-existing substandard mobile home at 1545 Beverly Terrace will be removed.

Mr. Reynolds explained that he has sold the lot at 1545 Beverly Terrace, but he has made arrangements to leave the mobile home on the lot. The home on the lot at 13th Ave. is in need of extensive repairs. It is more cost effective to replace the home with the second trailer at Beverly, than to repair it. Mr. Reynolds stated that if the Council approves the variance request, that the trailer now at 13th Ave will be removed from the City before placing the trailer, moved from Beverly, on the lot.

Linda Coe and Cheryl Coe were present to speak on this matter. They both objected to granting the variance. Linda Coe stated that this would open the door for additional variances and would undermine the intent of the governing ordinance. Cheryl Coe stated that this is a "back door" approach to

placing sub-standard manufactured homes in the City. No other persons offered testimony in the matter.

After review of the criteria for granting a variance, Councilor McMullen moved to grant the requested variance to replace a pre-existing substandard mobile home currently installed at 170 (102) N. 13th with a mobile home owned by Mr. Reynolds currently located at 1545 Beverly Terrace. Councilor cooper was second to the motion. The vote was three for approval with Councilors Churchill and Stover voting in opposition, motion carried.

In granting the variance the Council made the following findings:

a. Exceptional conditions apply to the property that do not apply generally to other properties in the same zone or vicinity, which conditions are a result of circumstances over which the applicant has no control.

b. The variance is necessary for the preservation of a property right of the applicant substantially the same as is possessed by owners of other property in the same zone or vicinity.

c. The authorization of the variance requires that the installation of the second mobile home shall materially improve the lot and the vicinity in which the lot is located, and shall be subject to the development policies and standards of the City of Elgin.

d. The variance granted is the minimum variance from the provisions and standards of the mobile home ordinance that will alleviate the hardship. To wit, the variance is to the floor area, structure width and roof pitch standards only. All other current standards required for the installation of a manufactured home shall apply.

e. Prior to setting up the replacement mobile home, the existing mobile home shall be removed from the City, in its entirety.

Old Business

Insurance agent of record proposals.

Two proposals for agent of record were received as a result of the City's solicitation. Wheatland, the City's current agent and Valley Insurance both submitted proposals. Natalie Bridge and Kyle Evans from Wheatland reviewed the history of Wheatland insurance and described the Company's philosophy. She noted that risk management was a key goal of her company's service. Art Rhodes from Valley Insurance rev agent of record, noting that he was the City's agent three years ago. He has been out of the insurance industry for the past three years and is now working with Valley Insurance. He noted that he has a strong marketing/purchasing background for small public agencies.

No action was taken at this time.

Ordinance 127, vacation of White Street

At the previous meeting the Council voted to vacate an undeveloped portion of White Street. Ordinance 127, vacating the subject portion of White Street was presented and read in full. The ordinance will be placed before the Council for adoption, at its next meeting.

Appointment of City Councilor to fill vacancy

The Council has a vacancy due to the resignation of Misty Bennett. John McElravy has indicated that he is willing to serve the remaining potion of the term, ie. until December 31, 1998. Councilor Cooper moved to appoint John McElravy to fill the vacancy on the Council, with Councilor Stover as second. The vote was unanimous for approval, motion carried. Mayor Smith administered the oath of office. Mr. McElravy was then seated on the Council.

McKee Engineering re. supplemental payment for services.

The Council had asked for a copy of Mr. McKee's letter explaining his request for additional payment for the Hunaha Park Design work. The copies of the letter were provided to the Councilor's in their meeting packets. Councilor Stover noted that discussion of the matter would be taken up at the budget meeting.

New Business

Resolution 1044, Creating a reserve fund

Resolution 1044, creating a reserve fund to accumulate monies for the acquisition of a building to house emergency equipment was presented. The fund was approved in the City's 1997/98 budget. Councilor Stover moved to approve Resolution 1044 as presented, with Councilor McMullen as second. The vote was unanimous for approval, motion carried.

Resolution 1045, Election to receive State Revenues

Resolution 1045, electing to receive certain State revenues was presented. Councilor Churchill moved to approve Resolution 1045 as presented, with Councilor McMullen as second. The vote was unanimous for approval, motion carried.

Correspondence

A letter from Wheatland Insurance regarding property coverage was presented. It was noted that the City could cover the Opera House for replacement value or for a set amount, depending on the desire of the Council. Natalie Bridge stated she would investigate the options and send the information to the Administrator.

Good of the Order

Ambulance Dispatch protocol. The Administrator has sent a letter to the County Commissioners requesting the opportunity to review the emergency response dispatch protocols. There have been several incidents during the past

month that indicate a problem with the protocols. No meeting has been scheduled.

Letter to Governor re. unemployment charges; The Administrator has sent a letter to the Governor stating the City's reasons for disapproval of payment of unemployment charges, and asking for help in rectifying the law. The City is being charged unemployment on an employee that is still employed. No response has been received.

Letter to DEQ re. Solid Waste Site permit; The Administrator has sent a letter to DEQ requesting a copy of the transfer site permit. No response has been received.

For the information of the Council, there will be an ODOT transportation planning meeting June 10 at the City of Wallowa Senior Center at 7:00pm.

A proposal to lay the brick facing on the new City Hall was presented. Michael Hindal Masonry proposes to supply the brick, materials and labor to finish the front of the building, for a cost of $2,200. Other estimates were obtained last year including the cost of the brick for about $2,400. Two other contractors had stated that they would provide proposals for the Council's consideration at this meeting, however neither has responded. After consideration, Councilor Stover moved to accept the proposal of Hindal Masonry for $2,200, with Councilor Churchill as second. The vote was unanimous for approval, motion carried.

KJC Consulting has presented a preliminary proposal to do a study regarding the community needs for a medical clinic.

Mayor Smith recessed the meeting for an executive discussion Per, ORS 192.660, re: contracts. After discussion, the meeting was reconvened. Councilor Churchill moved to approve the proposal of Valley Insurance to act as the agent of record regarding the City's insurance coverages, with Councilor Cooper as second. The vote was unanimous for approval, motion carried.

Mayor Smith requested the Administrator to provide copies of the contract documents regarding McKee Engineering, to the Councilors for their review.

Councilor Cooper moved to approve the bills as presented, with Councilor McMullen as second. The vote was unanimous for approval, motion carried.

Councilor Churchill moved to adjourn, with Councilor Stover as second. The vote was unanimous for approval, motion carried.

Minutes respectfully submitted;

Joe Garlitz,
Recorder/Administrator

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